

SB 1524-2  
(LC 143)  
2/9/16 (ASD/jas/ps)

Requested by SENATE COMMITTEE ON VETERANS AND EMERGENCY PREPAREDNESS

**PROPOSED AMENDMENTS TO  
SENATE BILL 1524**

1 In line 2 of the printed bill, before the period insert “; amending ORS  
2 475B.415”.

3 Delete lines 4 through 8 and insert:

4 **“SECTION 1.** ORS 475B.415 is amended to read:

5 “475B.415. (1) The Oregon Health Authority shall establish a program for  
6 the issuance of registry identification cards to applicants who meet the re-  
7 quirements of this section.

8 “(2) The authority shall issue a registry identification card to an appli-  
9 cant who is 18 years of age or older if the applicant pays a fee in an amount  
10 established by the authority by rule and submits to the authority an appli-  
11 cation containing the following information:

12 “(a) Written documentation from the applicant’s attending physician  
13 stating that the attending physician has diagnosed the applicant as having  
14 a debilitating medical condition and that the medical use of marijuana may  
15 mitigate the symptoms or effects of the applicant’s debilitating medical con-  
16 dition;

17 “(b) The name, address and date of birth of the applicant;

18 “(c) The name, address and telephone number of the applicant’s attending  
19 physician;

20 “(d) Proof of residency, as required by the authority by rule;

21 “(e) The name and address of the applicant’s designated primary

1 caregiver, if the applicant is designating a primary caregiver under ORS  
2 475B.418; and

3 “(f) The information described in ORS 475B.420 (2), if the applicant is  
4 applying to produce marijuana or designate another person under ORS  
5 475B.420 to produce marijuana.

6 “(3)(a) The authority shall issue a registry identification card to an ap-  
7 plicant who is under 18 years of age if:

8 “(A) The applicant pays the fee and submits the application described in  
9 subsection (2) of this section; and

10 “(B) The custodial parent or legal guardian who is responsible for the  
11 health care decisions of the applicant signs and submits to the authority a  
12 written statement that:

13 “(i) The applicant’s attending physician has explained to the applicant  
14 and to the custodial parent or legal guardian the possible risks and benefits  
15 of the medical use of marijuana;

16 “(ii) The custodial parent or legal guardian consents to the medical use  
17 of marijuana by the applicant;

18 “(iii) The custodial parent or legal guardian agrees to serve as the  
19 applicant’s designated primary caregiver; and

20 “(iv) The custodial parent or legal guardian agrees to control the acqui-  
21 sition, dosage and frequency of the medical use of marijuana by the appli-  
22 cant.

23 “(b) An applicant who is under 18 years of age may not apply to produce  
24 marijuana under subsection (2)(f) of this section.

25 “(4) The authority shall approve or deny an application within 30 days  
26 after receiving the application.

27 “(5)(a) If the authority approves an application, the authority shall issue  
28 a serially numbered registry identification card to the applicant within five  
29 days after approving the application. The registry identification card must  
30 include the following information:

1       “(A) The registry identification cardholder’s name, address and date of  
2 birth;

3       “(B) The issuance date and expiration date of the registry identification  
4 card;

5       “(C) If the registry identification cardholder designated a primary  
6 caregiver under ORS 475B.418, the name and address of the registry iden-  
7 tification cardholder’s designated primary caregiver; and

8       “(D) Any other information required by the authority by rule.

9       “(b) If the registry identification cardholder designated a primary  
10 caregiver under ORS 475B.418, the authority shall issue an identification  
11 card to the designated primary caregiver. The identification card must con-  
12 tain the information required by paragraph (a) of this subsection.

13       “(6) A registry identification cardholder shall:

14       “(a) In a form and manner prescribed by the authority, notify the au-  
15 thority of any change concerning the registry identification cardholder’s:

16       “(A) Name, address or attending physician;

17       “(B) Designated primary caregiver, including the designation of a primary  
18 caregiver made at a time other than at the time of applying for or renewing  
19 a registry identification card; or

20       “(C) Person responsible for a marijuana grow site, including the desig-  
21 nation of a person responsible for a marijuana grow site made at a time  
22 other than at the time of applying for or renewing a registry identification  
23 card.

24       “(b) Annually renew the registry identification card by paying a fee in  
25 an amount established by the authority by rule and submitting to the au-  
26 thority an application that contains the following information:

27       “(A) Updated written documentation from the registry identification  
28 cardholder’s attending physician stating that the registry identification  
29 cardholder still has a debilitating medical condition and that the medical use  
30 of marijuana may mitigate the symptoms or effects of the registry identifi-

1 cation cardholder’s debilitating medical condition;

2 “(B) The information described in subsection (2)(b) to (f) of this section;  
3 and

4 “(C) If the registry identification cardholder is under 18 years of age, a  
5 statement signed by the custodial parent or legal guardian of the registry  
6 identification cardholder that meets the requirements of subsection (3) of this  
7 section.

8 “(7)(a) If the registry identification cardholder’s attending physician de-  
9 termines that the registry identification cardholder no longer has a debili-  
10 tating medical condition or determines that the medical use of marijuana is  
11 contraindicated for the registry identification cardholder’s debilitating med-  
12 ical condition, the registry identification cardholder shall return the registry  
13 identification card to the authority within 30 calendar days after receiving  
14 notice of the determination.

15 “(b) If, because of circumstances beyond the control of the registry iden-  
16 tification cardholder, a registry identification cardholder is unable to obtain  
17 a second medical opinion about the registry identification cardholder’s con-  
18 tinuing eligibility for the medical use of marijuana before having to return  
19 the registry identification card to the authority, the authority may grant the  
20 registry identification cardholder additional time to obtain a second medical  
21 opinion.

22 “(8)(a) The authority may deny an application for a registry identification  
23 card or an application to renew a registry identification card, or may sus-  
24 pend or revoke a registry identification card, if:

25 “(A) The applicant or registry identification cardholder does not provide  
26 the information required by this section;

27 “(B) The authority determines that the applicant or registry identification  
28 cardholder provided false information; or

29 “(C) The authority determines that the applicant or registry identification  
30 cardholder violated a provision of ORS 475B.400 to 475B.525 or a rule

1 adopted under ORS 475B.400 to 475B.525.

2 “(b) If a registry identification card is revoked, any associated identifi-  
3 cation card issued under subsection (5)(b) of this section, or marijuana grow  
4 site registration card issued under ORS 475B.420 (6), shall also be revoked.

5 “(c) A person whose application is denied, or whose registry identification  
6 card is revoked, under this subsection may not reapply for a registry iden-  
7 tification card for six months from the date of the denial or revocation un-  
8 less otherwise authorized by the authority.

9 “(9)(a) The authority may deny a designation of a primary caregiver made  
10 under ORS 475B.418, or suspend or revoke an associated identification card  
11 issued under subsection (5)(b) of this section, if the authority determines that  
12 the designee or the registry identification cardholder violated a provision of  
13 ORS 475B.400 to 475B.525 or a rule adopted under ORS 475B.400 to 475B.525.

14 “(b) A person whose designation has been denied, or whose identification  
15 card has been revoked, under this subsection may not be designated as a  
16 primary caregiver under ORS 475B.418 for six months from the date of the  
17 denial or revocation unless otherwise authorized by the authority.

18 “(10)(a) Notwithstanding subsection (2) or (6)(b) of this section, if an ap-  
19 plicant for a registry identification card, or a registry identification  
20 cardholder applying for renewal of a registry identification card, submits to  
21 the authority proof of having served in the Armed Forces of the United  
22 States and of having been diagnosed with post-traumatic stress disorder, the  
23 authority may not impose a fee that is greater than \$20 for the issuance or  
24 renewal of the registry identification card.

25 **“(b) Notwithstanding subsection (6)(b)(A) of this section, the re-**  
26 **quirement that a registry identification cardholder include in the ap-**  
27 **plication to renew a registry identification card updated written**  
28 **documentation from the cardholder’s attending physician regarding**  
29 **the cardholder’s continuing debilitating medical condition does not**  
30 **apply to a service-disabled veteran who:**

1       **“(A) Has been assigned a total and permanent disability rating for**  
2 **compensation that rates the veteran as unable to secure or follow a**  
3 **substantially gainful occupation as a result of service-connected disa-**  
4 **bilities as described in 38 C.F.R. 4.16; or**

5       **“(B) Has a United States Department of Veterans Affairs total dis-**  
6 **ability rating of 100 percent as a result of an injury or illness that the**  
7 **veteran incurred, or that was aggravated, during active military ser-**  
8 **vice and who received a discharge or release under other than dis-**  
9 **honorable conditions.”.**

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